

Applicant: Robert LePage

Agent: David Roybal

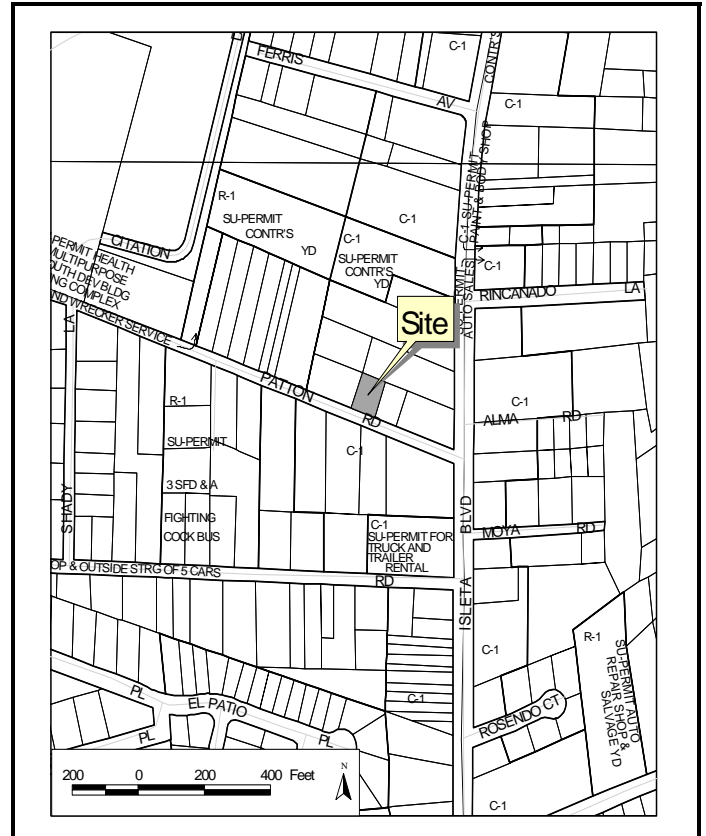
Location: 2219 Isleta Boulevard SW
and 1627 Patton Road SW

Property Size: .80 acres

Existing Zone: C-1

Proposed Zoning/SUP: Special Use Permit for a Contractor's Yard

Recommendation: Approval



Summary: The applicant is seeking a Special Use Permit in order to establish a foam insulation application business on a site of approximately .80 acres. The site is located on the northwest corner of Isleta Boulevard and Patton Road. At the December 7, 2005 public hearing, the County Planning Commission instructed the applicant to complete several tasks in order to allow consideration of a possible Special Use Permit for this site. To date, several site visits reveal that the condition of the site is greatly improved.

Staff Planner: Enrico Gradi, Program Planner

Attachments:

1. Application
2. Land Use and Zoning Maps
3. Site Plan (Commissioners Only)

Bernalillo County Departments and other interested agencies reviewed this application from 10-25-05 to 11-7-05.

Agency comments were used in preparation of this report, which begins on page 19.

AGENDA ITEM NO.: 8
County Planning Commission
April 5, 2006

CSU-50032 David Roybal, agent for Robert LePage, requests approval of a Special Use Permit for a Contractor's Yard on Tracts 34C2B & B1, SP-77-75, MRGCD Map #46, located at 2219 Isleta Boulevard SW & 1627 Patton Road SW, zoned C-1, containing approximately .80 acres. (N-12)
(CONTINUED FROM THE DECEMBER 7, 2005 HEARING)

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding Zoning & Land Uses

	Zoning	Land Use
Site	C-1	Foam Insulation Contractor's Yard
North	C-1	Single Family Dwelling
South	C-1	Single Family Dwelling
East	C-1	Isleta Boulevard/Single Family Dwelling
West	C-1	Single Family Dwelling

BACKGROUND:

The Request

This .80-acre site is located near the northwest corner of Isleta Boulevard and Patton Road. Currently, the applicant is operating on this site. The site is comprised of an L- shaped parcel, which fronts both Isleta Boulevard and Patton Road S.W. The site contains three storage buildings located on the site; the site also contains a single-family dwelling, which serves as a caretaker's residence. The eastern portion of the site contains asphalt paving and a driveway.

The majority of the site is not covered by impervious surface. The submitted site plan defines a truck/equipment parking area located on the western portion of the site. It appears that the portion of the site, which abuts Isleta Boulevard, is used as the entrance to the site and the portion of the site that abuts Patton Road is used as the exit for the associated vehicles.

Request Justification

The applicant maintains that the request is justified according to Resolution 116-86 in that the zone change is more beneficial to the community in that the materials and product is not a threat to the community and is environmentally. The applicant also states that there is ample space on the site to accommodate the trucks and equipment on the property.

Surrounding Land Use and Zoning Activity

At the October 6, 2004 public hearing, the County Planning Commission recommended approval of a Special Use Permit for a Specific Use for Truck and Trailer Rental (CSU-40020) located at 2323 Isleta Boulevard SW, on the northwest corner of Isleta Boulevard and Valley Road approximately 250 feet south of the subject site the site was zoned C-1 and was approximately .94 acres. At the November 23, 2004 public hearing, the Board of County Commissioners approved the Special Use Permit for the Truck and Trailer Rental. However, last month, the applicant of the Special Use Permit submitted a letter requesting that the Special Use Permit to be removed from the official zone map.

An additional land use decision in this vicinity is located approximately one-quarter mile south of the subject site and was approved approximately three years ago. At the September 4, 2002 public hearing, the Extraterritorial Land Use Commission voted to recommend approval of an amendment to a Special Use Permit for a Mobile Home Park to allow a Pre-school and a Community Center on a site located at 2506 Isleta Boulevard SW approximately 750 feet south of the subject site on the south east corner of Blake Road and Isleta Boulevard (CSU-20007). On October 22, 2002, the Extraterritorial Land Use Authority approved the request.

On the southwest corner of Isleta Boulevard and Blake Road, a 1/3-acre site was approved for a Special Use Permit for Specific Uses for an Upholstery Shop.

Approximately 800 feet south of the subject site is the location of an additional mobile home park, which is approximately 5.3 acres and contains approximately 36 mobile homes. The Board of County Commissioners approved the Mobile Home Park in 1977 (CSU-77-15).

APPLICABLE PLANS AND POLICIES:

Albuquerque/Bernalillo County Comprehensive Plan

The site is within the Semi Urban Area as designated in the Comprehensive Plan. The goal in the Comprehensive Plan is to “maintain the character and identify of semi urban areas, which have environmental, social or cultural conditions limiting urban land uses.”

Land Use:

Policy a states that “development in the semi-urban area “shall be consistent with development limitations imposed by topography, soil conditions, groundwater quality, agricultural potential, flood potential, scenic qualities, recreation potential and existing development; the overall gross density shall be up to three dwelling units per acre.”

Policy b states “development in semi-urban areas shall include trail corridors, where appropriate, and shall be compatible with economic policies and historical and socio-cultural values, and shall maintain and integrate existing and new buildings and spaces of local significance into the community.”

Policy c states that

- “Mixed use areas should protect residential uses in the area, while offering a variety of local employment opportunities.”

- “Strip commercial development is discouraged in favor of clustered commercial development.”

Southwest Area Plan (SWAP)

The site is located in Residential Area Three of the Southwest Area Plan.

Policy 26 (g) allows a maximum residential density of three dwelling units per net acre when city sewer services are available.

Policy 8 states “Isleta Boulevard shall be recognized and treated as a historic route. Any modifications on Isleta Boulevard shall protect, rehabilitate and enhance the historic. Cultural and economic significance of this important segment of the 'Camino Real'”

Policy 9 states “Protect the fragile landforms and air quality in the plan area, new development or major modifications roads and other public facilities shall adapt to existing natural environment, topography, soils, vegetation, geology, and hydrology.”

- f. Prohibit excessive cuts and fills that scar the natural landscape and create unstable soil and erosion conditions.

Policy 19 states “All development and subdivisions shall be required to limit the level of water runoff generated from new construction or paving in order to reduce velocity and volume of runoff, and to ensure the viability and capacity of down stream facilities.

Policy 21 states “The five historic village centers, shall re-integrate historic buildings and sites of local interest and function as an area to meet the community’s day to day needs.

- b. Reintegrate historic buildings and spaces of local interest into the historic village centers and surrounding village centers. Allow adaptive reuse of historic buildings and places that hold significant value as identified by the community.

Policy 25 states “The County and City stabilize residential zoning and land use in the plan area.”

- e. Encourage C-2, M-1 and M-2 land uses in the area located south of Woodward and east of Second Street, and the southwest corner of I-40 and Paseo del Volcan, to promote areas of primary development.

- g. Encourage stabilization of residential land use through subdivision design and scale.

Policy 28 states that the areas located between I-25 and Second Street and the area south of I-40 and west of Paseo del Volcan shall be used as primary employment areas due to their location relative to transportation facilities (rail and highway).

Policy 30 states, “Standards for outdoor lighting shall be implemented to ensure that their use does not interfere with the night sky environment and unnecessarily adjacent properties.”

- a. Outdoor light poles within residential areas should not exceed sixteen (16) feet in height above existing grade; when mounted on buildings or structures, fixtures should not exceed twelve (12) feet from existing grade.
- b. Encourage landscaped areas within lots to break up large expanses of paved area and enhance pedestrian access.

Policy 32 states... “Increase the visual character and quality of the streetscape and overall development by encouraging enhanced use of required perimeter walls.”

- a. Discourage long expanses of uninterrupted wall surface and encourage walls to be indented, offset, or in a serpentine form to avoid a tunnel effect.

Policy 42 states, Industrial development shall be in accordance with existing environmental and geological conditions.

- c. Restrict new industrial development in areas of fragile soil conditions or in geographically unfit areas, unless indisputable evidence is presented that the area will not be adversely affected.
- d. Locate industrial development in areas with appropriate road design, drainage and infrastructure conducive to industrial activity.
- e. Limit the scale of industry to an appropriate compatible and sustainable level considering environmental factors such as soil conditions, water availability, air quality, noise and suitable geologic formations.

Bernalillo County Zoning Ordinance

Resolution 116-86 defines criteria for evaluating a Zone Map changes and Special Use Permit applications.

The following policies for deciding zone map changes and Special Use Permit applications pursuant to the adopted BCC Zoning Ordinance.

- A. A proposed land use change must be found to be consistent with the health, safety and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other Master Plans and amendments thereto including privately developed area plans, which have been adopted by the BCC.
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:
 - 1. An error in the original zone map.
 - 2. Changed neighborhood conditions, which justifies a change in land use or
 - 3. That a different use category is more advantageous to the community as articulated in the Comprehensive Plan or other land use plans as adopted by the BCC.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.

- G. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- H. A zone change request, which would give a zone different from the surrounding, zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- I. A zone change request, which would give a zone different from the surrounding zoning to a strip of land along a street, is generally called a "strip zoning." Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Section 18 Special Use Permit Regulations

- A. By Special Use Permit after receipt of a recommendation from the County Planning Commission Commission, the Board of County Commissioners may authorize the location of uses in any one in which they are not permitted by other sections of this ordinance; the Board of County Commissioners may likewise authorize the increase in height of buildings beyond the limits set fourth by sections of the zoning ordinance. With such permits, the Board of County Commissioners may impose limitations as it deems necessary:
 - 1. To ensure that the degree of compatibility of property uses which this section is intended to promote and preserve shall be maintained with respect to the special use on the particular site and consideration of existing and potential uses of property within the zone and the general area in which the use is proposed to be located.
 - 2. To ensure the proper performance standards and conditions are, whenever necessary, imposed upon uses which are, or which reasonably may be expected to become, obnoxious, dangerous, offensive or injurious to the health, safety, or welfare of the public, or a portion thereof, by reason of the emission of noise, smoke, dust, fumes, vibration, odor, or other harmful or annoying substances;
 - 3. To preserve the utility, integrity and character of the zone in which the use will be located, without adversely affecting adjacent zones; and
 - 4. To ensure that the use will not be or become detrimental to the public interest, health, safety, convenience, or the general welfare.
 - 5. The Extraterritorial land Use Commission must review the Special Use Permit and progress of development from the date of approval and each year thereafter until completion of the plan,

and if needed make a recommendation to the Board of County Commissioners to continue of revoke the Special Use Permit.

B. Such Special Use Permits may authorize the following uses:

8. Contractor's yard, Contractor's equipment storage, and contractor's plant. .

C. The Board of County Commissioners must review the Special Use Permit and progress of development from the date of approval and each year thereafter until completion of the plan, and if needed make a recommendation to the Board of County Commissioners to continue of revoke the Special Use Permit Application procedures

1. An application for a Special Use Permit shall be filed with the County Zoning, Building and Planning Department on forms prescribed by the Department and accompanied by all relevant data and information. Incorrect or incomplete information may be cause for denial or deferral and may delay the review and hearing process. It is recommended that the applicant consult with the County Zoning or Planning staff before filing an application to be informed of any requirements of policies relevant to the request.

Section 14. C-1 Neighborhood Commercial Zone.

A. The regulations set forth in this section, or set forth elsewhere in this ordinance, when referred to in this section, are the regulations in the C-1 Neighborhood Commercial Zone. The purpose of this zone is to provide suitable sites for office, service, institutional, and limited commercial uses to satisfy the day-to-day needs of nearby residential areas and to minimize any adverse effect on nearby residential development.

Section 19 Landscaping and Buffer Landscaping Regulations:

Where a nonresidential zone which is hereafter developed for a business purpose abuts a conforming residential use, special buffer landscaping is required to minimize noise, lighting and sight impact of the nonresidential activities in the residential area.

A. Landscaping and buffer landscaping will be required in all zones for office, commercial, industrial, and multifamily residential uses; R-1, A-1, A-2 and M-H residential uses are exempt.

1. Sites of one acre or less:

- a. There shall be a landscaped setback along all streets of no less than ten feet.
- b. There shall be a landscaped buffer of six feet between single-family residential uses and office, commercial, industrial, and multifamily residential uses.
- c. Fifteen percent of all paved areas shall be landscaped. The landscaped setback may contribute toward this requirement.

2. Sites one acre and up to five acres. There shall be a landscaped setback along all streets of not less than 15 feet. All other requirements are the same as 1.b and 1.c above.

3. Sites of five acres or more:

- a. There shall be a landscaped setback along all streets of no less than 20 feet.
- b. The landscaped setback shall not be counted toward the landscaping required as a result of paving.
- c. All other requirements [shall be the] same as 1.b. and 1.c. above.

ANALYSIS:

Surrounding Land Use and Zoning

The subject site is located in the Semi-Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan, which allows a maximum gross residential density of three dwelling units per acre when sewer and water are available. The subject site is surrounded by properties zoned C-1 all of which contain single-family residential dwellings. This land uses in the general vicinity of this request are mixed the various land uses include a commercial auto repair facility located on the north west corner of Patton Road and Isleta Boulevard. In addition, a large contractor's yard exists approximately 200 feet north of this site.

Plans

Albuquerque/Bernalillo County Comprehensive Plan

Policy a states that "development in the semi-urban area is be consistent with development limitations imposed by topography, soil conditions, groundwater quality, agricultural potential, flood potential, scenic qualities, recreation potential and existing development. " The overall gross density is recommended to be up to three dwelling units per acre in this part of the valley. In addition, Policy c states, "mixed use areas should protect residential uses in the area, while offering a variety of local employment opportunities."

Southwest Area Plan (SWAP)

The Southwest Area Plan contains policies, which encourage industrial uses in specific locations in the plan area. SWAP policies 25 and 28 encourage the location of C-2, M-1 and M-2 land uses in the area located south of Woodward and east of Second Street, and the southwest corner of I-40 and Paseo del Volcan. This policy was intended to promote areas of primary employment to be located on both sides of the river and to locate industrial uses where access to transportation infrastructure in optimum.

SWAP Policy 42 recommends locating industrial development in areas with appropriate road design, drainage and infrastructure conducive to industrial activity. Limiting the scale of industry to appropriate compatible and sustainable levels given the environmental factors such as soil conditions, water availability, air quality, noise and suitable geologic formations.

SWAP Policy 44 promotes small scale community commercial centers which foster a market place atmosphere; improve profit for small businesses; provide jobs; and circulate dollars within the area economy to enhance a community environment and meet retail, recreational and service needs of South Valley residents. In addition, policy 56 encourages economic development of neighborhood character and scale along Isleta Boulevard consistent with the existing rural/urban mix.

Additional policies in the Southwest Area Plan state that Isleta Boulevard is to be recognized and treated as a historic route and that any modifications on Isleta Boulevard should protect, rehabilitate, and enhance the historic, cultural and economic significance of this important segment of the "Camino Real."

Additional policies in the SWAP call for an increased quality of the streetscape and overall development by encouraging enhanced use of required perimeter walls. The applicant's site plan does not present sufficient detail needed to assess any potential compatibility with the SWAP.

Zoning Ordinance

The Bernalillo County Zoning Ordinance, Section 18 I (8) defines a Contractor's equipment storage, rental, or sale yard as a permissive use given the following criteria. Storage uses are required to be conducted within a completely enclosed building or within an area enclosed on all sides by a wall or fence at least six feet high. The wall or fence is required to be solid along the sides of the site facing or abutting land zoned A-1, A-2, R-1, R-2 or M-H zoning.

Section 19 of the Zoning Ordinance, which deals with the landscaping and buffer landscaping regulations, requires that landscaping be required in all zones for industrial commercial and multifamily uses. Currently, the site plan contains this requirement. On sites of one acre or less a landscaped setback of no less than ten feet is required along all streets. The site contains an area along Isleta Boulevard, which appears to be approximately ten feet wide, however the area is not currently landscaped.

Section 19 (A) (1) (b) requires that a landscaped buffer of six feet between single-family residential uses and commercial uses is required. In addition, the western portion of the site is required to have a landscaped setback of six feet between the site and the adjoining parcel containing a residential use, this requirement is not present.

Agency Comments

Comments from the County Office of Environmental Health (BCOEH) states some environmental health concerns regarding the nature of this particular business. The (BCOEH) states that the primary products used by this business have been classified by OSHA as a Hazardous Material as outlined in the OSHA Communication Standard and the applicant is required to submit a Hazardous Materials Handling Plan that includes a Hazardous Materials Handling Plan and an On-Site Material Handling Plan which includes, but is not limited to the following:

- How the product off-loaded from transport vehicle.
- How the product transferred into storage building.
- How the delivery/installation vehicle loaded and prepared for fieldwork.
- How the product spray system set-up for fieldwork.
- How the product off-loaded from installation vehicle.
- How spills prevented.

The Public Works Division has submitted the following comments regarding the traffic and access. Public Works calls for the proposed exit gate to be widened to 20 feet in order to create a clear exiting path allowing ample room for truck access onto Patton Road. The easterly tree may need to be removed if it blocks this clear path. In addition a Traffic Impact Analysis may be required in the future should an increase in truck traffic warrant it.

Also, an asphalt apron extending 30 feet from the edge of the existing pavement is to be placed at the exit onto Patton Road, the pavement design shall meet minimum Bernalillo County Street Standards.

The Building Department has submitted comments, which call for building permits for the proposed modular office building foundation and ramps. Additionally, the modular office west wall and a portion of the east wall will require at least 1 hour rated construction due to its proximity to the existing storage building/shed and the modular office will require ADA accessible ramps and at least one ADA accessible bathroom.

The existing buildings to the south will require rated construction certification from a New Mexico licensed architect due to proximity to each other and the property lines as a condition of approval.

Analysis Summary

Zoning	
Resolution 116-86	Resolution 116-86 requires that a land use change must clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan. The Albuquerque/Bernalillo County Comprehensive Plan policy i calls for employment and service uses to be located so as to complement residential areas and be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments. The SWAP policy 25 encourages C-2, M-1 and M-2 land uses in the area located south of Woodward and east of Second Street, and the southwest corner of I-40 and Paseo del Volcan, to promote areas of primary development.

Plans	
Comprehensive Plan	Policy c states, "mixed use areas should protect residential uses in the area, while offering a variety of local employment opportunities."
Area Plan	The Southwest Area Plan encourages C-2, M-1 and M-2 land uses to be located south of Woodward and east of Second Street, and the southwest corner of I-40 and Paseo del Volcan.
Other Requirements	
Environmental Health	Questions regarding the material used in this business. The applicant is required to submit a Hazardous Materials Handling Plan.
Public Works	<p>This property is subject to the Bernalillo County code chapter 38, a drainage submittal meeting the requirements of this code will be required.</p> <p>Only one-way traffic, as shown on the submitted site plan, shall be allowed. One-way street signs shall be posted at both the entrance and exit to the site.</p> <p>The exit gate shall be widened to 20 feet. A clear exiting path shall be created and maintained, allowing ample room for truck access onto Patton Road. The easterly tree may need to be removed if it blocks this clear path.</p> <p>An asphalt apron extending 30 feet from the edge of the existing pavement shall be placed at the exit onto Patton Road. Pavement design shall meet minimum Bernalillo County Street Standards.</p>

Conclusion

Resolution 116-86 establishes policies regarding zone change and Special Use Permit requests. The Resolution states that the applicant must demonstrate that the existing zoning is inappropriate because of an error in the zone map, changed conditions in the neighborhood or community which justifies a change in land use or that a different use category is more advantageous to the community as articulated in the Comprehensive Plan or other land use plans as adopted by the BCC. Although it does appear that there are land use activity in this vicinity, which is of the intensity of the proposed Contractor's yard single-family residential dwellings surround this specific site.

A mixture of residential uses and varying degrees of commercial uses and several contractors' yards characterizes this area of Isleta Boulevard. None of the contractor's yards have been approved in recent years and the recent land use policy documents such as the SWAP and the forth coming Isleta Boulevard Sector Development Plan call for land uses that are more industrial in nature to not be located on Isleta Boulevard. It appears that the applicant has a site, which is of an unusual shape and is not exceptionally large for the nature of the use conducted on the site, principally the storage and parking of materials and vehicles. Given the requirements defined by the commenting agencies it appears that the amount of modification to the site required to meet the requirement of a Special Use Permit may limit the use of the site.

Resolution 116-86 requires that a land use change must clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan. In this case, it appears that the location of the

requested use is inconsistent with the Comprehensive Plan and the Southwest Area Plan policies in that both plans call for the stabilization of zoning in the plan area.

Based on Resolution 116-86 it does not appear that the proposed land meets the requirement of clearly facilitating revitalization of the Comprehensive Plan and the Southwest Area Plan for this portion of Isleta Boulevard in the South Valley.

The Albuquerque/Bernalillo County Comprehensive Plan policy i calls for employment and service uses to be located so as to complement residential areas and be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments. The SWAP policy 25 encourages C-2, M-1 and M-2 land uses in the area located south of Woodward and east of Second Street, and the southwest corner of I-40 and Paseo del Volcan, to promote areas of primary development.

Additional Staff Comment (April 5, 2006)

At the December 7, 2005 public hearing, the County Planning Commission instructed the applicant to complete several tasks in order to allow the County Planning Commission to consider a possible Special Use Permit for this site. These tasks required that the applicant clean up the site and remove any debris, or storage containers that are not associated with the existing business. This included identification of procedures for the disposal of empty 50 gallon barrels that contain the foam insulation material in liquid form. The applicant was also instructed to provide the County with a hazardous materials emergency plan.

To date, several site visits reveal that the condition of the site with regard to general house keeping and outside storage is greatly improved. The barrels are no longer visible on the site, a large fuel dispensing tank had been removed from the western boundary of the site and the interior circulation of the site has greatly improved.

RECOMMENDATION:

Approval of CSU-50032 based on the following Findings and Conditions.

Enrico Gradi
Program Planner

FINDINGS:

1. This is a request for a Special Use Permit for a Contractor's Yard on Tracts 34C2B & B1, SP-77-75, MRGCD Map #46, located at 2219 Isleta Boulevard SW & 1627 Patton Road SW, zoned C-1, containing approximately .80 acres
2. This request is consistent with Resolution 116-86 in that the applicant has demonstrated that the existing zoning is inappropriate and changed neighborhood conditions exist in the surrounding area as evidenced by a Special Use Permit for a Contractor's Yard located approximately 100 feet north of the subject site.
3. This request is not in significant conflict with the Albuquerque\Bernalillo County Comprehensive Plan and the Southwest Area Plan.
4. This request is consistent with the Albuquerque/Bernalillo County Comprehensive Plan in that policy I call for employment and service uses to be located so as to complement residential areas and be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.
5. This request is consistent with Resolution 116-86, in that the proposed land use is consistent with the public interest, health, safety, and general welfare of the surrounding area.

Conditions

1. Landscaping adjacent to residential properties shall consist of a combination of

shade and evergreen trees, twenty-five (25) feet on center.

2. A six (6) foot solid wall or fence shall be located on all sides of the site, which abut residential uses. A six (6) foot landscape buffer shall be located parallel to the inside face of the wall and shall have a mixture of shade trees and evergreen trees to provide buffering at a minimum of twenty-five (25) feet on center.
3. Lighting shall be site-specific. Shielded or cutoff fixtures shall be provided so that no fugitive light crosses to adjacent lots.
4. Street trees shall be planted at thirty (30) feet on center along Isleta Boulevard.
5. The applicant shall provide hard surfacing or other appropriate surface material to cover the ground area proposed for vehicle and material storage in order to prevent dust and maintain air quality for the surrounding area.
6. No outdoor speakers or amplified sound systems shall be permitted.
7. The operation of diesel powered vehicles or other vehicles at the site shall comply with Air Quality Board Regulation No. 103 (20 NMAC 11.103, Motor Vehicle Visible Emissions). This regulation ensures that visible emissions are kept within limits specified for different sizes of vehicles and during a 10 minute start up period. Vehicles must be maintained in a condition to comply with these requirements. Engine warmers should be used wherever possible to reduce start up time period.
8. The applicant shall acquire City of Albuquerque. Air Quality Div. Permits for Fugitive Dust Control.
9. The applicant shall meet all requirements of the Bernalillo County Office of Environmental Health.
10. This property is subject to the Bernalillo County code chapter 38. Prior to any development or additional development of this property a drainage submittal meeting the requirements of this code will be required.
11. Only one-way traffic, as shown on the submitted site plan, shall be allowed. One-way street signs shall be posted at both the entrance and exit to the site.
12. The exit gate shall be widened to 20 feet. A clear exiting path shall be created and maintained, allowing ample room for truck access onto Patton Road. The easterly tree may need to be removed if it blocks this clear path.
13. An asphalt apron extending 30 feet from the edge of the existing pavement shall be placed at the exit onto Patton Road. Pavement design shall meet minimum Bernalillo County Street Standards.
14. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
15. The Special Use Permit shall be issued for five (5) years.
16. A revised site development plan consistent with the Conditions of approval shall be submitted for review and approval to the Zoning Administrator within two months after the final Board of County Commissioners approval.
17. The foregoing Conditions shall become effective immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

BERNALILLO COUNTY DEPARTMENT COMMENTS

Environmental Health:

The property is situated close to private residential dwellings. The applicant should be aware of the Noise Ordinance 30-116, which states, "it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any person residing in the area..."

Environmental Health comments: The primary products used by this business have been classified by OSHA as a Hazardous Material as outlined in the OSHA Communication Standard [OCS] (29 CFR 1910.1200). The applicant is required to submit a Hazardous Materials Handling Plan that includes:

Hazardous Materials Handling Plan

1) On-Site Material Handling

- a) How is product off-loaded from transport vehicle?
- b) How is product transferred into storage bldg.?
- c) How is delivery/installation vehicle loaded and prepared for fieldwork?
- d) How is product spray system set-up for fieldwork?
- e) How is product off-loaded from installation vehicle? Who does this and by what means?

2) Job-Site Material Handling

- a) How is product spray system set-up at job site?
- b) How is product [drums] handled on job site?
- c) Describe installation/spraying process?

3) Housekeeping-All Locations

- a) How are spills prevented?

Operation of diesel powered vehicles or other vehicles at the site will need to comply with Air Quality Board Regulation No. 103 (20 NMAC 11.103, Motor Vehicle Visible Emissions). This regulation ensures that visible emissions are kept within limits specified for different sizes of vehicles and during a 10 minute start up period. Vehicles must be maintained in a condition to comply with these requirements. Engine warmers should be used where ever possible to reduce start up time period. The applicant shall acquire City of Albuquerque Air Quality Div. Permits for Fugitive Dust Control.

Water and sewer are available, accounts were verified through County GIS.

1. The property appears to be two separate lots and consideration should be made to replat them into one contiguous lot.
2. The SW area of the common drive area has two perforations in the drive surface [drains]. What drains through them and where does this drain to?
3. The applicant shall acquire City of Albuquerque Air Quality Div. Permits for Fugitive Dust Control.

Fire:

No comments received.

Zoning Enforcement Manager:

Must comply with below listed comments.

There are no zoning violations on this property. The request is for a contractors yard to be allowed in a C-1 zone. Recommend that a condition to indicate that the contractor's yard is to be used exclusive for the storage of their equipment only. If approved as a general contractor's yard it could be more intense, creating a serious problem for enforcement, if the type of business would change.

The plan indicates a "Dwelling Unit" used as a watchman's caretaker, which is not allowed and cannot be used for commercial or office use., only a mobile home/manufactured home which is not on a permanent foundation is allowed.

The landscape plan is adequate, however the property to the north is residential and should have a solid wall/fence abutting the residence. The property to the west is residential use, although in a C-1 Zone the landscape ordinance states there shall be a landscaped buffer between single-family residential uses, which will require a 6'foot landscape buffer not shown on plan submitted.

The plan shows a large commercial (Tractor Rig with large Trailer) vehicle on the plan, there could be a concern of noise and/or smoke/ exhaust emitting from the vehicles, which could generate complaints. The plan also shows an exit unto Patton Road that could create a traffic problem and damage on a residential street.

Public Works:

DRAN

1. This property is subject to the Bernalillo County code chapter 38. Prior to any development or additional development of this property a drainage submittal meeting the requirements of this code will be required.

DRE

1. Only one way traffic, as shown on the submitted site plan, shall be allowed. One way street signs shall be posted at both the entrance and exit to the site.
2. The exit gate shall be widened to 20 feet. A clear exiting path shall be created and maintained, allowing ample room for truck access onto Patton Road. The easterly tree may need to be removed if it blocks this clear path.
3. A Traffic Impact Analysis (TIA) is not required at this time. A TIA may be required in the future should an increase in truck traffic warrant it.
4. Revise the site plan to show the existing Right-of-way of Patton Road and Isleta Boulevard.
5. An asphalt apron extending 30 feet from the edge of the existing pavement shall be placed at the exit onto Patton Road. Pavement design shall meet minimum Bernalillo County Street Standards.

Building Manager:

Corrections listed below must be corrected for approval:

1. Building permits will be required for the proposed modular office building foundation and ramps.
2. The modular office west wall and a portion of the east wall will require at least 1 hour rated construction due to its proximity to the existing storage building/shed.
3. The modular office will require ADA accessible ramps and at least one ADA accessible bathroom.
4. The existing buildings to the south will require rated construction certification from a New Mexico licensed Architect due to proximity to each other and the property lines as a condition of approval.

Parks & Recreation:

No adverse comments at this time.

Sheriff's:

COMMENTS FROM OTHER AGENCIES

MRGCOG:

No adverse comments.

AMAFCA:

No comments.

City Public Works:

Transportation:

No adverse comments.

Utilities:

No adverse comment.

City Open Space:

City Environmental Health:

New Mexico State Highway Department:

No adverse comments.

NEIGHBORHOOD ASSOCIATIONS:

The South Valley Coalition of Neighborhood Associations

The South Valley Alliance